

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAREY DEAN PHILLIPS, JR.,

Defendant.

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8:13CR208

ORDER

This matter is before the court on the motion for an extension of time by defendant Carey Dean Phillips, Jr. (Phillips) (Filing No. 17). The defendant seek an additional ten days in which to file pretrial motions in accordance with the progression order. Upon consideration, the motions will be granted.

IT IS ORDERED:

Defendant Phillips' motion for an extension of time (Filing No. 17) is granted. Phillips is given until **on or before July 3, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 21, 2013, and July 3, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 21st day of June, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge